

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FELIPE RODRIGUEZ,

Plaintiff,

-v.-

THE CITY OF NEW YORK, et al.,

Defendants.

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21 Civ. 01649 (AMD)(RLM)

**DECLARATION OF
BENJAMIN NOTTERMAN,
ESQ. OPPOSING THE MTA
DEFENDANTS' MOTION TO
DISMISS.**

I, Benjamin Notterman, Esq., hereby declare under penalty of perjury that the following is true and correct:

1. I am an Associate Attorney at ZMO Law PLLC, duly admitted in the State of New York and in this Court. My firm, along with the Law Offices of Joel B. Rudin, P.C., represents Plaintiff Felipe Rodriguez in this matter. As such, I am familiar with the facts and circumstances herein and submit this declaration in opposition to the MTA Defendants' Motion to Dismiss Plaintiff's Amended Complaint.

2. Annexed hereto as Exhibit "1" is a true and correct copy of the Notice of Claim that Plaintiff, through counsel, served on the Metropolitan Transportation Authority on March 27, 2020.

3. Annexed hereto as Exhibit "2" is a true and correct copy of the Demand that Plaintiff, through counsel, served on the Long Island Railroad Company through its counsel in this matter, Steven M. Silverberg, Esq., on September 30, 2021.

Dated: New York, New York
October 5, 2021

/s/

Benjamin Notterman
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Attorney for Plaintiff Felipe Rodriguez